



Senate

General Assembly

File No. 532

February Session, 2008

Substitute Senate Bill No. 672

Senate, April 9, 2008

The Committee on Judiciary reported through SEN. MCDONALD of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS TO THE GENERAL STATUTES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 3-20a of the 2008 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (a) Provisions of this section shall apply to general obligation bonds
5 or notes issued pursuant to section 3-20, special tax obligation bonds or
6 notes issued pursuant to sections 13b-74 to 13b-77, inclusive,
7 abandoned property fund bonds issued pursuant to section 3-62h,
8 Clean Water Fund bonds or notes issued pursuant to section 22a-483 of
9 the 2008 supplement to the general statutes, Bradley International
10 Airport bonds or notes issued pursuant to sections 15-101k to 15-101p,
11 inclusive, unemployment compensation bonds or notes issued
12 pursuant to sections 31-264a and 31-264b, UConn 2000 bonds or notes
13 issued pursuant to sections 10a-109a to 10a-109y, inclusive, Second
14 Injury Fund bonds or notes issued pursuant to section 31-354b and

15 sections 8 and 9 of public act 96-242*, [and] revenue anticipation bonds
16 issued pursuant to section 13b-79r, and municipal pension solvency
17 account bonds issued pursuant to section 7-406o of the 2008
18 supplement to the general statutes.

19 Sec. 2. Subsection (f) of section 4-68o of the 2008 supplement to the
20 general statutes is repealed and the following is substituted in lieu
21 thereof (*Effective from passage*):

22 (f) The division shall publish the first annual outcome report not
23 later than January 1, 2007, and shall publish an annual outcome report
24 not later than February fifteenth of each year thereafter. Such report
25 may be included as part of the report submitted under section 4-68p of
26 the 2008 supplement to the general statutes.

27 Sec. 3. Subsection (b) of section 4b-15b of the 2008 supplement to the
28 general statutes is repealed and the following is substituted in lieu
29 thereof (*Effective from passage*):

30 (b) Each lease agreement entered into on and after July 1, 2007, by
31 any state department to lease all or part of any building to be occupied
32 by state employees or others shall contain a provision requiring the
33 lessor to make all necessary efforts during the term of the lease
34 agreement to maintain the structure and mechanical systems of the
35 building as necessary to sustain the indoor air quality in the building
36 [to] at the levels in existence at the time the premises were accepted
37 and to carry out the indoor air quality protocol established under
38 subsection (a) of this section.

39 Sec. 4. Subsection (d) of section 7-131 of the general statutes is
40 repealed and the following is substituted in lieu thereof (*Effective from*
41 *passage*):

42 (d) The legislative body of any town, city or borough may vote to
43 assign to its forest commission or, in the absence of a forest
44 commission, to a shade tree commission, to be constituted and
45 appointed in the manner provided for in subsection (b) of this section

46 for a forest commission, the supervision of public shade trees within
47 such town, city or borough not under the supervision of the
48 Commissioner of Transportation, including the appointment of the
49 town tree warden and the supervision of [his] the tree warden's work.

50 Sec. 5. Subsection (c) of section 7-151a of the 2008 supplement to the
51 general statutes is repealed and the following is substituted in lieu
52 thereof (*Effective from passage*):

53 (c) In addition to the power granted in subsection (a) of this section,
54 a lake authority may be granted by the legislative bodies of its
55 respective towns powers to: (1) Control and abate algae and aquatic
56 weeds in cooperation with the Commissioner of Environmental
57 Protection; (2) study water management including, but not limited to,
58 water depth and circulation and make recommendations for action to
59 its member towns; (3) act as agent for member towns with respect to
60 filing applications for grants and reimbursements with the Department
61 of Environmental Protection and other state agencies in connection
62 with state and federal programs; and (4) [to] act as agent for member
63 towns with respect to receiving gifts for any of its purposes.

64 Sec. 6. Subsection (e) of section 7-323c of the general statutes is
65 repealed and the following is substituted in lieu thereof (*Effective from*
66 *passage*):

67 (e) The rates of contribution referred to in subsections (b) and (c) of
68 this section shall be proportions of the pay of members, which shall
69 each be uniform for each participating municipality, [;] except that, if
70 any error or omission in the data furnished to the commission by any
71 municipality causes the contribution rate fixed by the commission for
72 any year under subsection (c) of this section to be insufficient, the
73 entire amount of any required increase shall be charged to the
74 municipality or municipalities by which such errors or omissions were
75 made.

76 Sec. 7. Subdivision (3) of section 7-425 of the 2008 supplement to the
77 general statutes is repealed and the following is substituted in lieu

78 thereof (*Effective from passage*):

79 (3) "Legislative body" means, for towns having a town council, the
80 council; for other towns, the selectmen; for cities, the common council
81 or other similar body of officials; for boroughs, the warden and
82 burgesses; for regional school districts, the regional board of
83 education; for district departments of health, the board of the district;
84 for probate districts, the judge of probate; for regional planning
85 agencies, the regional planning board; for regional emergency
86 telecommunications [center] centers, a representative board; for
87 tourism districts, the board of directors of such tourism district; and in
88 all other cases the body authorized by the general statutes or by special
89 act to make ordinances for the municipality.

90 Sec. 8. Subsection (b) of section 8-265i of the general statutes is
91 repealed and the following is substituted in lieu thereof (*Effective from*
92 *passage*):

93 (b) Any mortgage shall be for a term of not more than six years. The
94 Connecticut Housing Finance Authority shall establish written
95 procedures, in accordance with section [1-120] 1-121, setting forth
96 eligibility criteria for homeowners and specifying medical and other
97 costs that may be covered by loan payments.

98 Sec. 9. Subsection (b) of section 10-158a of the general statutes is
99 repealed and the following is substituted in lieu thereof (*Effective from*
100 *passage*):

101 (b) Subject to the provisions of subsection (c) of this section, any
102 board of education may withdraw from any agreement entered into
103 under subsection (a) of this section if, at least one year prior to the date
104 of the proposed withdrawal, it gives written notice of its intent to do so
105 to each of the other boards. Upon withdrawal by one or more boards
106 of education, two or more boards of education may continue their
107 commitment to the agreement. If two or more boards of education
108 continue the arrangement, then such committee established within the
109 arrangement may continue to hold title to any real or personal

110 property given to or purchased by the committee in trust for all the
111 boards of education which entered the agreement, unless otherwise
112 provided in the agreement or by law or by the grantor or donor of
113 such property. Upon dissolution of the committee, any property held
114 in trust shall be distributed in accordance with the agreement, if such
115 distribution is not contrary to law.

116 Sec. 10. Subsection (d) of section 10-221d of the general statutes is
117 repealed and the following is substituted in lieu thereof (*Effective from*
118 *passage*):

119 (d) (1) The provisions of this section shall not apply to a person
120 required to submit to [a] state and national criminal history records
121 [check] checks pursuant to the provisions of subsection [(d)] (e) of
122 section 14-44 of the 2008 supplement to the general statutes.

123 (2) The provisions of this section shall not apply to a student
124 employed by the local or regional school district in which the student
125 attends school.

126 (3) The provisions of subsection (a) of this section requiring state
127 and national criminal history records checks shall, at the discretion of a
128 local or regional board of education, apply to a person employed by a
129 local or regional board of education as a teacher for a noncredit adult
130 class or adult education activity, as defined in section 10-67, who is not
131 required to hold a teaching certificate pursuant to section 10-145b for
132 his or her position.

133 Sec. 11. Subsection (b) of section 12-2 of the general statutes is
134 repealed and the following is substituted in lieu thereof (*Effective from*
135 *passage*):

136 (b) Notwithstanding any provision of the general statutes, [to the
137 contrary,] the commissioner may issue administrative pronouncements
138 providing his interpretation of the tax laws. Within one hundred
139 eighty days from the issuance of any administrative pronouncement,
140 the commissioner shall publish notice of intent to adopt regulations, in

141 accordance with the provisions of chapter 54, to implement the
142 provisions of any administrative pronouncement issued on or after
143 August 22, 1991, and such regulations shall be presented to the
144 legislative regulation review committee within six months from the
145 date of the issuance of any such pronouncement. Such
146 pronouncements shall not have the force and effect of regulations and
147 shall carry a notice stating that the administrative pronouncements do
148 not have the force and effect of law, provided taxpayers shall be
149 entitled to rely on such pronouncements. For the purpose of this
150 subsection, "administrative pronouncement" [shall mean] means a
151 statement by the Commissioner of Revenue Services which provides
152 his interpretation of the tax laws and which is published and made
153 available to the public. The commissioner shall, with respect to any
154 provision of the general statutes which authorizes the issuance of
155 rules, file with the legislative regulation review committee, within six
156 months after the issuance of such rules, regulations which implement
157 the provisions of such rules.

158 Sec. 12. Subdivision (82) of section 12-412 of the 2008 supplement to
159 the general statutes is repealed and the following is substituted in lieu
160 thereof (*Effective from passage*):

161 (82) (A) The sale of and the storage, use or other consumption of any
162 commercial motor vehicle, as defined in subparagraphs (A) and (B) of
163 subdivision (13) of [subsection (a) of] section 14-1 of the 2008
164 supplement to the general statutes, that is operating pursuant to the
165 provisions of section 13b-88 or 13b-89, during the period commencing
166 upon its purchase and ending one year after the date of purchase,
167 provided seventy-five per cent of its revenue from its days in service is
168 derived from out-of-state trips or trips crossing state lines.

169 (B) Each purchaser of a commercial motor vehicle exempt from tax
170 pursuant to the provisions of this subsection shall, in order to qualify
171 for said exemption, present to the retailer a certificate, in such form as
172 the commissioner may prescribe, certifying that seventy-five per cent
173 of such vehicle's revenue from its days in service will be derived from

174 out-of-state trips or trips crossing state lines. The purchaser of the
175 motor vehicle shall be liable for the tax otherwise imposed if, during
176 the period commencing upon its purchase and ending one year after
177 the date of purchase, seventy-five per cent of the vehicle's revenue
178 from its days in service is not derived from out-of-state trips or trips
179 crossing state lines.

180 Sec. 13. Section 13b-50a of the 2008 supplement to the general
181 statutes is repealed and the following is substituted in lieu thereof
182 (*Effective from passage*):

183 The following initiatives shall be established to preserve
184 Connecticut's licensed [private] privately owned, [public] publicly
185 used airports which have a paved runway and a minimum of five
186 thousand operations per year: (1) The state shall have the right of first
187 refusal to purchase, via fair market value and state property
188 acquisition procedures, an airport, if that airport is threatened with
189 sale or closure, for the express purpose [in] of preserving the airport;
190 (2) the Commissioner of Transportation may acquire the development
191 rights, based on fair market value for such rights, of such airports,
192 provided the airport remains a public airport; (3) the state shall fund
193 capital improvements to private airports, in which case the state shall
194 participate in ninety per cent of the eligible costs and the balance by
195 the sponsor, with budget and priorities to be determined by the
196 Department of Transportation, and engineering in accordance with
197 Federal Aviation Administration Advisory Circulars; and (4) the
198 establishment of a new airport zoning category for the airport's
199 imaginary surfaces as defined by Federal Aviation Regulations.
200 Development within these surfaces shall require notices for proposed
201 construction and a federal determination of obstructions. Construction
202 of obstructions deemed hazardous to navigation shall not be allowed.

203 Sec. 14. Subsection (j) of section 13b-57g of the 2008 supplement to
204 the general statutes is repealed and the following is substituted in lieu
205 thereof (*Effective from passage*):

206 (j) Not later than January 1, 2007, and quadrennially thereafter, the

board shall review and, if necessary, revise the strategy adopted pursuant to subsection (a) of this section. A report describing any revisions and the reasons for [them] such revisions shall be submitted to the Governor and, pursuant to section 11-4a, the General Assembly. Such report shall include a prioritized list of projects which the board, in consultation with the commissioner, determines are necessary to implement the recommended strategy, including the estimated capital and operating costs and time frame of such projects, and a completion schedule for all projects. Not later than January 31, 2007, and quadrennially thereafter, the joint standing committees of the General Assembly having cognizance of matters relating to transportation, finance, revenue and bonding and planning and development and the chairpersons and ranking members of the joint standing committee having cognizance of matters relating to commerce [,] shall meet with the Commissioners of Transportation and Economic and Community Development, the Secretary of the Office of Policy and Management, the chairperson of the Transportation Strategy Board and such other persons as they deem appropriate to consider the report required by this subsection.

Sec. 15. Subsection (b) of section 14-12a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) For the purposes of this section, a declaration of the person registering a motor vehicle, made in such form as the Department of Motor Vehicles may prescribe, shall be prima facie evidence of the facts relevant to the application of subsection (a) of this section. (2) Consistent with the provisions of this section, the Department of Motor Vehicles shall have power to enter into agreements with the appropriate authorities of other states pursuant to which uncertainties as to the proper state of registration for motor vehicles may be determined and allocations of vehicles for purposes of registration made.

Sec. 16. Subsection (e) of section 14-36a of the 2008 supplement to

240 the general statutes is repealed and the following is substituted in lieu
241 thereof (*Effective from passage*):

242 (e) Any person who violates [any provision of] subsection (d) [or
243 (e)] of this section shall, for a first offense, be deemed to have
244 committed an infraction and be fined not less than thirty-five dollars or
245 more than fifty dollars and, for a subsequent offense, shall be fined not
246 more than one hundred dollars or imprisoned not more than thirty
247 days, or both.

248 Sec. 17. Subsection (b) of section 14-44 of the 2008 supplement to the
249 general statutes is repealed and the following is substituted in lieu
250 thereof (*Effective from passage*):

251 (b) No operator's license bearing an endorsement shall be issued or
252 renewed in accordance with the provisions of this section or section 14-
253 36a of the 2008 supplement to the general statutes, until the
254 commissioner, or the commissioner's authorized representative, is
255 satisfied that the applicant is a proper person to receive such an
256 operator's license bearing an endorsement, holds a valid motor vehicle
257 operator's license, or, if necessary for the class of vehicle operated, a
258 commercial driver's license and is at least eighteen years of age. Each
259 applicant for an operator's license bearing an endorsement or the
260 renewal of such a license shall furnish the commissioner, or the
261 commissioner's authorized representative, with satisfactory evidence,
262 under oath, to prove that such person [: Has] has no criminal record []
263 and has not been convicted of a violation of subsection (a) of section
264 14-227a within five years of the date of application and that no reason
265 exists for a refusal to grant or renew such an operator's license bearing
266 an endorsement. Each applicant for such an operator's license bearing
267 an endorsement shall submit with the application proof satisfactory to
268 the commissioner that such applicant has passed a physical
269 examination administered not more than ninety days prior to the date
270 of application, and which is in compliance with safety regulations
271 established from time to time by the United States Department of
272 Transportation. Each applicant for renewal of such license shall

273 present evidence that such applicant is in compliance with the medical
274 qualifications established in 49 CFR 391, as amended. Each applicant
275 for such an operator's license bearing an endorsement shall be
276 fingerprinted before the license bearing an endorsement is issued.

277 Sec. 18. Subsection (c) of section 14-44i of the 2008 supplement to the
278 general statutes is repealed and the following is substituted in lieu
279 thereof (*Effective from passage*):

280 (c) There shall be charged, in addition to the fee provided in
281 subsection (b) of this section for the commercial driver's license
282 knowledge test, a fee of five dollars for each test for an endorsement to
283 a commercial driver's license. There shall be charged, in addition to the
284 fee provided in subsection (b) of this section for such knowledge test, a
285 fee of five dollars for each test for the removal of a restriction to a
286 commercial driver's license relating to air brakes. There shall be
287 charged, in addition to the fee provided in subsection (b) of this section
288 for such knowledge test, a fee of five dollars for each combination
289 vehicle knowledge test.

290 Sec. 19. Subsections (a) and (b) of section 14-181 of the general
291 statutes are repealed and the following is substituted in lieu thereof
292 (*Effective from passage*):

293 (a) If the interest of an owner in a vehicle passes to another other
294 than by voluntary transfer, the transferee shall, except as provided in
295 subsection (b) of this section, promptly mail or deliver to the
296 commissioner the last certificate of title, if available, proof of the
297 transfer, and his or her application for a new certificate in the form the
298 commissioner prescribes.

299 (b) If the interest of the owner is terminated or the vehicle is sold
300 under a security agreement by a lienholder named in the certificate of
301 title, the transferee shall promptly mail or deliver to the commissioner
302 the last certificate of title, his or her application for a new certificate in
303 the form the commissioner prescribes, and an affidavit made by or on
304 behalf of the lienholder that the vehicle was repossessed and that the

305 interest of the owner was lawfully terminated or sold pursuant to the
306 terms of the security agreement. If the lienholder succeeds to the
307 interest of the owner and holds the vehicle for resale, [he] the
308 lienholder need not secure a new certificate of title but, upon transfer
309 to another person, shall promptly mail or deliver to the transferee or to
310 the commissioner the certificate, affidavit and other documents
311 required to be sent to the commissioner by the transferee.

312 Sec. 20. Subsection (a) of section 14-222a of the 2008 supplement to
313 the general statutes is repealed and the following is substituted in lieu
314 thereof (*Effective from passage*):

315 (a) Except as provided in subsection (b) of this section, any person
316 who, in consequence of the negligent operation of a motor vehicle,
317 causes the death of another person shall be fined not more than one
318 thousand dollars or imprisoned not more than six months, or both.

319 Sec. 21. Subsection (b) of section 14-275 of the 2008 supplement to
320 the general statutes is repealed and the following is substituted in lieu
321 thereof (*Effective from passage*):

322 (b) Each school bus shall be painted a uniform yellow color known
323 as "National School Bus Glossy Yellow", except for the fenders and
324 trim which may be painted black and the roof which may be painted
325 white, and shall have conspicuously painted on the rear and on the
326 front [thereof] of such vehicle, in black lettering of a size to be
327 determined by the Commissioner of Motor Vehicles, the words "School
328 Bus-Stop on Signal", except that each school bus equipped with an
329 eight-light warning system shall have the words "School Bus" painted
330 on the rear and on the front [thereof] of such vehicle in such lettering.
331 The sides of such vehicles may be inscribed with the words "School
332 Bus", the school name or such other legend or device as may be
333 necessary for purposes of identification or safety. Each school bus shall
334 have conspicuously painted on the rear and sides of such [vehicles]
335 vehicle, in black lettering of a size to be determined by the
336 commissioner, the name of the school bus company, the school bus
337 company's telephone number and the school bus number.

338 Sec. 22. Subsection (c) of section 14-279 of the general statutes is
339 repealed and the following is substituted in lieu thereof (*Effective from*
340 *passage*):

341 (c) Upon receipt of a written report from any school bus operator
342 specifying the license plate number, color and type of any vehicle
343 observed violating any provision of subsection (a) of this section and
344 the date, approximate time and location of such violation, a police
345 officer shall issue a written warning or a summons to the owner of any
346 such vehicle.

347 Sec. 23. Subsection (b) of section 14-296aa of the general statutes is
348 repealed and the following is substituted in lieu thereof (*Effective from*
349 *passage*):

350 (b) (1) Except as otherwise provided in this subsection and
351 subsections (c) and (d) of this section, no person shall operate a motor
352 vehicle upon a highway, as defined in [subsection (a) of] section 14-1 of
353 the 2008 supplement to the general statutes, while using a hand-held
354 mobile telephone to engage in a call or while using a mobile electronic
355 device while such vehicle is in motion. (2) An operator of a motor
356 vehicle who holds a hand-held mobile telephone to, or in the
357 immediate proximity of, his or her ear while such vehicle is in motion
358 is presumed to be engaging in a call within the meaning of this section.
359 The presumption established by this subdivision is rebuttable by
360 evidence tending to show that the operator was not engaged in a call.
361 (3) The provisions of this subsection shall not be construed as
362 authorizing the seizure or forfeiture of a hand-held mobile telephone
363 or a mobile electronic device, unless otherwise provided by law. (4)
364 Subdivision (1) of this subsection does not apply to: (A) The use of a
365 hand-held mobile telephone for the sole purpose of communicating
366 with any of the following regarding an emergency situation: An
367 emergency response operator; a hospital, physician's office or health
368 clinic; an ambulance company; a fire department; or a police
369 department, or (B) any of the following persons while in the
370 performance of their official duties and within the scope of their

371 employment: A peace officer, as defined in subdivision (9) of section
372 53a-3 of the 2008 supplement to the general statutes, a firefighter or an
373 operator of an ambulance or authorized emergency vehicle, as defined
374 in [subsection (a) of] section 14-1 of the 2008 supplement to the general
375 statutes, or (C) the use of a hands-free mobile telephone.

376 Sec. 24. Subsection (e) of section 14-296aa of the general statutes is
377 repealed and the following is substituted in lieu thereof (*Effective from*
378 *passage*):

379 (e) Except as provided in subsections (b) to (d), inclusive, of this
380 section, no person shall engage in any activity not related to the actual
381 operation of a motor vehicle in a manner that interferes with the safe
382 operation of such vehicle on any highway, as defined in [subsection (a)
383 of] section 14-1 of the 2008 supplement to the general statutes.

384 Sec. 25. Subsection (f) of section 15-154 of the 2008 supplement to
385 the general statutes is repealed and the following is substituted in lieu
386 thereof (*Effective from passage*):

387 (f) A person who violates subsection (e) of this section shall be fined
388 not less than fifty dollars [nor] or more than two hundred dollars.

389 Sec. 26. Subsection (c) of section 16-262m of the 2008 supplement to
390 the general statutes is repealed and the following is substituted in lieu
391 thereof (*Effective from passage*):

392 (c) For systems serving twenty-five or more residents that are not
393 the subject of proceedings under subsection (c) of section 16-262n or
394 section 16-262o, an application for a certificate of public convenience
395 and necessity shall be on a form prescribed by the Department of
396 Public Utility Control, in consultation with the Department of Public
397 Health, and accompanied by a copy of the water company's
398 construction or expansion plans, a fee of one hundred dollars and
399 when applicable, a copy of a signed agreement between the water
400 company and provider for the exclusive service area, as determined
401 pursuant to section 25-33g, detailing those terms and conditions under

402 which the system will be constructed or expanded and for which the
403 provider will assume service and ownership responsibilities. The
404 departments shall issue a certificate to an applicant upon determining,
405 to their satisfaction, that (1) no interconnection is feasible with a water
406 system owned by, or made available through arrangement with, the
407 provider for the exclusive service area, as determined pursuant to
408 section 25-33g, or with another existing water system where no
409 exclusive service area has been assigned, (2) the applicant will
410 complete the construction or expansion in accordance with
411 engineering standards established by regulation by the Department of
412 Public Utility Control for water supply systems, (3) ownership of the
413 system will be assigned to the provider for the exclusive service area,
414 as determined pursuant to section 25-33g, (4) the proposed
415 construction or expansion will not result in a duplication of water
416 service in the applicable service area, and (5) the applicant meets all
417 federal and state standards for water supply systems. Any
418 construction or expansion with respect to which a certificate is
419 required shall thereafter be built, maintained and operated in
420 conformity with the certificate and any terms, limitations or conditions
421 contained therein.

422 Sec. 27. Subdivision (1) of subsection (e) of section 16-262m of the
423 2008 supplement to the general statutes is repealed and the following
424 is substituted in lieu thereof (*Effective from passage*):

425 (e) (1) For systems serving twenty-five or more persons, but not
426 twenty-five or more residents, at least sixty days in any one year an
427 application for a certificate of public convenience and necessity shall
428 be on a form prescribed by the Department of Public Health and
429 accompanied by a copy of the construction or expansion plans. The
430 Department of Public Health shall issue a certificate to an applicant
431 upon determining, to its satisfaction, that (A) no interconnection is
432 feasible with a water system owned by, or made available through
433 arrangement with, the provider for the exclusive service area, as
434 determined pursuant to section 25-33g, or with another existing water
435 system where no existing exclusive service area has been assigned, (B)

436 the applicant will complete the construction or expansion in
437 accordance with engineering standards established by regulation for
438 water supply systems, (C) ownership of the system will be assigned to
439 the provider for the exclusive service area, as determined pursuant to
440 section 25-33g, if agreeable to the exclusive service area provider and
441 the Department of Public Health, or may remain with the applicant, if
442 agreeable to the Department of Public Health, provided the applicant
443 has the financial, managerial and technical resources to (i) operate the
444 proposed water supply system in a reliable and efficient manner, and
445 (ii) provide continuous adequate service to consumers served by the
446 system, until such time as the water system for the exclusive service
447 area, as determined by section 25-33g, has made an extension of the
448 water main, after which the applicant shall obtain service from the
449 provider for the exclusive service area, (D) the proposed construction
450 or expansion will not result in a duplication of water service in the
451 applicable service area, and (E) the applicant meets all federal and
452 state standards for water supply systems. Any construction or
453 expansion with respect to which a certificate is required shall
454 thereafter be built, maintained and operated in conformity with the
455 certificate and any terms, limitation or conditions contained therein.
456 Properties held by the Department of Environmental Protection and
457 used for or in support of fish culture, natural resource conservation or
458 outdoor recreational purposes shall be exempt from the requirements
459 of subdivisions (1), (3) and (4) of subsection (c) of this section and
460 subparagraphs (A), (C) and (D) of [subdivision (1) of subsection (e) of
461 this section] this subdivision.

462 Sec. 28. Subsection (a) of section 17b-256 of the general statutes is
463 repealed and the following is substituted in lieu thereof (*Effective from*
464 *passage*):

465 (a) The Commissioner of Social Services may administer, within
466 available appropriations, a program providing payment for the cost of
467 drugs prescribed by a physician for the treatment of acquired
468 immunodeficiency syndrome or human immunodeficiency virus. The
469 commissioner, in consultation with the Commissioner of Public

470 Health, shall determine specific drugs to be covered and may
471 implement a pharmacy lock-in procedure for the program. The
472 Commissioner of Social Services shall adopt regulations, in accordance
473 with the provisions of chapter 54, to carry out the purposes of this
474 section. The commissioner may implement the program while in the
475 process of adopting regulations, provided notice of intent to adopt the
476 regulations is published in the Connecticut Law Journal within twenty
477 days of implementation. The regulations may include eligibility for all
478 persons with acquired immunodeficiency syndrome or human
479 immunodeficiency virus whose income is below four hundred per cent
480 of the federal poverty level. Subject to federal approval, the
481 commissioner may, within available federal resources, maintain
482 existing insurance policies for eligible clients, including, but not
483 limited to, coverage of costs associated with such policies, that provide
484 a full range of human immunodeficiency virus treatments and access
485 to comprehensive primary care services as determined by the
486 commissioner and as provided by federal law, and may provide
487 payment, determined by the commissioner, for (1) drugs and
488 nutritional supplements prescribed by a physician that prevent or treat
489 opportunistic diseases and conditions associated with acquired
490 immunodeficiency syndrome or human immunodeficiency virus; (2)
491 ancillary supplies related to the administration of such drugs; and (3)
492 laboratory tests ordered by a physician. On and after May 26, 2006,
493 [persons] any person who previously received insurance assistance
494 under the program established pursuant to section 17b-255 of the
495 general statutes, revision of 1958, revised to 2005, shall continue to
496 receive such assistance until the expiration of the insurance coverage,
497 provided such person continues to meet program eligibility
498 requirements established in accordance with this subsection. On or
499 before March 1, 2007, and annually thereafter, the Commissioner of
500 Social Services shall report, in accordance with section 11-4a, to the
501 joint standing committees of the General Assembly having cognizance
502 of matters relating to human services, public health and appropriations
503 and the budgets of state agencies on the projected availability of funds
504 for the program established pursuant to this section.

505 Sec. 29. Subsection (d) of section 17b-341 of the general statutes is
506 repealed and the following is substituted in lieu thereof (*Effective from*
507 *passage*):

508 (d) Any party aggrieved by said commissioner's decision after a
509 hearing conducted pursuant to subsection (b) or (c) [,] of this section
510 may appeal therefrom in accordance with the provisions of section 4-
511 183, except venue shall be in the judicial district in which the home or
512 hospital is located. Such appeal shall have precedence in respect to
513 order of trial over all other cases except writs of habeas corpus, actions
514 brought by or on behalf of the state, including informations on the
515 relation of private individuals, and appeals from awards or decisions
516 of workers' compensation commissioners.

517 Sec. 30. Subsection (c) of section 18-101b of the 2008 supplement to
518 the general statutes is repealed and the following is substituted in lieu
519 thereof (*Effective from passage*):

520 (c) Any inmate requesting permission to remain in a correctional
521 facility, as provided in subsection (a) of this section, or any person
522 requesting permission to remain in a program, as provided in
523 subsection (b) of this section, shall submit such request, in writing, to
524 the Commissioner of Correction not later than one week prior to the
525 scheduled date for the inmate's parole or discharge.

526 Sec. 31. Section 19a-88a of the general statutes is repealed and the
527 following is substituted in lieu thereof (*Effective from passage*):

528 For the purposes of subsection (c) of section 19a-88 of the 2008
529 supplement to the general statutes, the commissioner shall adopt
530 regulations, in accordance with the provisions of chapter 54, no later
531 than January 1, 2000. Such regulations shall include, but not be limited
532 to, (1) a definition of "retired from the profession" as that term applies
533 to registered nurses, advanced practice registered nurses and licensed
534 practical nurses, (2) procedures for the return to active employment of
535 such nurses who have retired from the profession, (3) appropriate
536 restrictions upon the scope of practice for such nurses who are retired

537 from the profession, including restricting the license of such nurses to
538 the provision of volunteer services without monetary compensation,
539 and (4) the requirement that any registered nurse, advanced practice
540 registered nurse, or licensed practical nurse seeking to renew a license
541 under the provisions of subsection (c) of section 19a-14, subsection (c)
542 of section 19a-88 of the 2008 supplement to the general statutes, this
543 section, subdivision (3) of section 20-66, subsections (l) to (n), inclusive,
544 of section 20-74s of the 2008 supplement to the general statutes, section
545 20-206bb of the 2008 supplement to the general statutes and sections 7
546 to 9, inclusive, of public act 99-249* shall be a holder in good standing
547 of a current license issued pursuant to chapter 378 as of the date of
548 application for renewal.

549 Sec. 32. Subsection (c) of section 20-677 of the general statutes is
550 repealed and the following is substituted in lieu thereof (*Effective from*
551 *passage*):

552 (c) In addition to any other remedy provided for in sections 20-670
553 to 20-676, inclusive, any person who violates any provision of
554 subsection (b) of this section [.] shall be fined not more than one
555 thousand dollars or imprisoned not more than six months, or both.

556 Sec. 33. Subsection (b) of section 22-287 of the general statutes is
557 repealed and the following is substituted in lieu thereof (*Effective from*
558 *passage*):

559 (b) Surveillance tests may be performed by a technician trained by
560 and under the supervision of the State Veterinarian and employed by
561 [the Livestock Division of] the Department of Agriculture, provided [.]
562 no condemnation shall be made on the basis of such surveillance tests.
563 The owner of any herd to be so tested shall provide assistance and
564 proper restraint for confining the animals for and during the
565 application of [said] such tests.

566 Sec. 34. Section 22-301 of the general statutes is repealed and the
567 following is substituted in lieu thereof (*Effective from passage*):

568 No milk may be offered for sale in Connecticut unless produced
569 from herds complying with sections 22-298, 22-299a, 22-303, 22-304, 22-
570 306 and 22-307 and this section. Before a permit may be issued by the
571 Commissioner of Agriculture for the sale of milk, information must be
572 available from the [Livestock Division] state Department of
573 Agriculture or from the livestock official of the state where the milk is
574 produced that such herd producing milk for sale has reacted
575 negatively to tests which meet Connecticut specifications for the
576 control of tuberculosis and brucellosis.

577 Sec. 35. Subdivision (5) of section 22-415a of the general statutes is
578 repealed and the following is substituted in lieu thereof (*Effective from*
579 *passage*):

580 (5) "Official test" means a serological test for equine infectious
581 anemia that is (A) approved by the Animal and Plant Health
582 Inspection Service of the United States Department of Agriculture, (B)
583 conducted in a laboratory approved by the Commissioner of
584 Agriculture, and (C) administered by a licensed veterinarian, state
585 veterinarian, or full-time employee with the [livestock division of the]
586 state Department of Agriculture.

587 Sec. 36. Section 26-72 of the general statutes is repealed and the
588 following is substituted in lieu thereof (*Effective from passage*):

589 The commissioner may, after notice and public hearing conducted
590 in the manner prescribed by section 26-67, issue regulations governing
591 and prescribing the taking of all species of fur-bearing animals by use
592 of traps within the state. Such regulations may (1) establish the open
593 and closed seasons, (2) establish the legal hours, (3) prescribe the legal
594 methods that may be used, including size, type and kind of traps and
595 the type and kind of bait and lures, (4) designate the places where
596 traps may be placed and set and the conditions under which the
597 placing and setting of traps will be legal, (5) establish the daily bag
598 limit and the season bag limit, and (6) assess a reasonable fee, or
599 develop a comparable equitable plan, for season trapping rights on
600 state-owned property. Assignment of such rights for specific areas may

601 be determined by drawing or by the order in which requests therefor
602 are recorded as received in the office of the commissioner when there
603 is a set fee for such areas, or the method of high bid may be used. No
604 person shall set, place or attend any trap upon the land of another
605 without having in [his] such person's possession the written
606 permission of the owner or lessee of such land, or [his] such owner's or
607 lessee's agent, and no person shall set, place or attend any trap not
608 having the name of the person using such trap legibly stamped
609 thereon or attached thereto; provided the owner or legal occupant of
610 such land or such person as [he] such owner or legal occupant
611 designates may set, place or attend any legal steel trap in any place
612 within a radius of one hundred feet of any permanent building located
613 on such land. No person who sets, places or attends any trap shall
614 permit more than twenty-four hours to elapse between visits to such
615 trap; provided, if such twenty-four-hour period expires before sunset,
616 the person who set such trap shall have until sunset to visit the same.
617 No person shall place, set or attend any snare, net or similar device
618 capable of taking or injuring any animal. The pelt of any fur-bearing
619 animal legally taken may be possessed, sold or transported at any
620 time. Upon demand of any officer having authority to serve criminal
621 process or any representative of the Department of Environmental
622 Protection, any person in possession of any such pelt shall furnish to
623 such officer or such representative satisfactory evidence that such pelt
624 was legally taken or acquired. No provision [hereof] of this section
625 shall be construed as prohibiting any landowner or lessee of land used
626 for agricultural purposes or any citizen of the United States, or any
627 person having on file in the court having jurisdiction thereof a written
628 declaration of [his] such person's intention to become a citizen of the
629 United States, who is regularly employed by such landowner or lessee,
630 from pursuing, trapping and killing at any time any fur-bearing
631 animal, except deer, which is injuring any property, or the owner of
632 any farm or enclosure used for breeding or raising any legally acquired
633 fur-bearing animal who has a game breeder's license issued by the
634 commissioner or a fur breeder's license issued by [the Livestock
635 Division of] the Department of Agriculture, from taking or killing any

636 such animal legally in [his] such owner's possession at any time or
637 having in possession any pelt thereof. No person shall molest, injure or
638 disturb any muskrat house or den at any time. Any fur-bearing animal
639 legally taken alive may be possessed by the person taking the same,
640 provided [he] such person shall notify the commissioner in a writing
641 signed by [him] such person stating the species and sex of such animal,
642 the date and the name of the town where such animal was taken and
643 the specific address where such animal will be kept. Any
644 representative of the department may at any time inspect such animal
645 and the enclosure or other facilities used to hold such animal and make
646 inquiry concerning the diet and other care such animal should have
647 and if, in the opinion of the commissioner or such representative, such
648 animal is not being provided adequate or proper facilities or care, such
649 animal may be seized by such representative of the department and be
650 disposed of as determined by the commissioner. Fur-bearing animals
651 taken alive, as [herein] provided in this section, shall not be sold or
652 exchanged, provided the person who legally possesses such animal
653 may apply to the commissioner for a game breeder's license or to [the
654 Livestock Division of] the Department of Agriculture for a fur
655 breeder's license and when so licensed [he] such person may breed
656 such animal and the progeny thereof, and such issue when three
657 generations removed from the wild may be sold or exchanged alive or
658 dead. Any trap illegally set and any snare, net or similar device found
659 placed or set in violation of the provisions of this section shall be
660 seized by any representative of the department and, if not claimed
661 within twenty-four hours, the commissioner may order such trap,
662 snare, net or other device destroyed, sold or retained for use by the
663 commissioner. Any person who violates any provision of this section
664 or any regulation issued by the commissioner shall be fined not more
665 than two hundred dollars or be imprisoned not more than sixty days,
666 or both. Whenever any person is convicted, or forfeits any bond, or has
667 [his] such person's case nolloed upon the payment of any sum of
668 money, or receives a suspended sentence or judgment for a violation of
669 any of the provisions of this section or any regulation issued hereunder
670 by the commissioner, all traps used, set or placed in violation of any

671 such provisions or any such regulation may, by order of the trial court,
672 be forfeited to the state and may be retained for use by the department
673 or may be sold or destroyed at the discretion of the commissioner. The
674 proceeds from any such sale shall be paid to the State Treasurer and
675 [by him credited] the State Treasurer shall credit such proceeds to the
676 General Fund.

677 Sec. 37. Subsection (f) of section 31-109 of the general statutes is
678 repealed and the following is substituted in lieu thereof (*Effective from*
679 *passage*):

680 (f) Except as provided in subsection (e) of this section, unless
681 otherwise directed by the court, commencement of proceedings under
682 subsections (a) and (d) of this section shall not operate as a stay of such
683 order.

684 Sec. 38. Subsection (b) of section 31-276 of the 2008 supplement to
685 the general statutes is repealed and the following is substituted in lieu
686 thereof (*Effective from passage*):

687 (b) Notwithstanding the provisions of subsection (a) of this section,
688 on and after October 1, 1988, any commissioner whose term expires on
689 December thirty-first shall continue to serve until the next succeeding
690 March thirty-first.

691 Sec. 39. Subsection (b) of section 32-237 of the 2008 supplement to
692 the general statutes is repealed and the following is substituted in lieu
693 thereof (*Effective from passage*):

694 (b) The center for supply chain integration, established pursuant to
695 subsection (a) of this section, shall make its services available to assist
696 small and medium-sized manufacturers in the state. The center shall
697 provide the same services to such manufacturers to promote supply
698 chain development, as described in subsection (a) of this section.

699 Sec. 40. Subsection (a) of section 34-327 of the general statutes is
700 repealed and the following is substituted in lieu thereof (*Effective from*
701 *passage*):

702 (a) Except as otherwise provided in subsections (b), (c) and (d) of
703 this section, all partners are liable jointly and severally for all
704 obligations of the partnership unless otherwise agreed by the claimant
705 or provided by law.

706 Sec. 41. Subsection (a) of section 38a-363 of the 2008 supplement to
707 the general statutes is repealed and the following is substituted in lieu
708 thereof (*Effective from passage*):

709 (a) "Injury" means bodily injury, sickness or disease, including death
710 resulting therefrom, accidentally caused and arising out of the
711 ownership, maintenance or use of a private passenger motor vehicle or
712 a vehicle with a commercial registration, as defined in subdivision (14)
713 of [subsection (a) of] section 14-1 of the 2008 supplement to the general
714 statutes.

715 Sec. 42. Subsection (b) of section 38a-503b of the general statutes is
716 repealed and the following is substituted in lieu thereof (*Effective from*
717 *passage*):

718 (b) Each carrier shall permit a female enrollee direct access to a
719 participating in-network obstetrician-gynecologist for any
720 gynecological examination or care related to pregnancy and shall allow
721 direct access to a participating in-network obstetrician-gynecologist for
722 primary and preventive obstetric and gynecologic services required as
723 a result of any gynecological examination or as a result of a
724 gynecological condition. Such obstetric and gynecologic services
725 include, but are not limited to, pap smear tests. The plan may require
726 the participating in-network obstetrician-gynecologist to discuss such
727 services and any treatment plan with the female enrollee's primary
728 care provider. Nothing in this section shall preclude access to an in-
729 network nurse-midwife as licensed pursuant to sections 20-86c and 20-
730 86g and in-network advanced practice registered nurses, as licensed
731 pursuant to sections 20-93 and 20-94a for obstetrical and gynecological
732 services within their scope of practice.

733 Sec. 43. Subsection (b) of section 38a-530b of the general statutes is

734 repealed and the following is substituted in lieu thereof (*Effective from*
735 *passage*):

736 (b) Each carrier shall permit a female enrollee direct access to a
737 participating in-network obstetrician-gynecologist for any
738 gynecological examination or care related to pregnancy and shall allow
739 direct access to a participating in-network obstetrician-gynecologist for
740 primary and preventive obstetric and gynecologic services required as
741 a result of any gynecological examination or as a result of a
742 gynecological condition. Such obstetric and gynecologic services
743 include, but are not limited to, pap smear tests. The plan may require
744 the participating in-network obstetrician-gynecologist to discuss such
745 services and any treatment plan with the female enrollee's primary
746 care provider. Nothing in this section shall preclude access to an in-
747 network nurse-midwife as licensed pursuant to sections 20-86c and 20-
748 86g and in-network advanced practice registered nurses, as licensed
749 pursuant to sections 20-93 and 20-94a for obstetrical and gynecological
750 services within their scope of practice.

751 Sec. 44. Subsection (c) of section 45a-8 of the 2008 supplement to the
752 general statutes is repealed and the following is substituted in lieu
753 thereof (*Effective from passage*):

754 (c) If suitable court facilities are not provided in accordance with
755 subsection (a) or (b) of this section: (1) The Probate Court
756 Administrator shall provide written notice, by first class mail, to the
757 judge of probate of the district and the chief executive officer of the
758 town in which the court is located, on or before October first of any
759 year in which suitable court facilities are not so provided. Such notice
760 shall specify the requirements of subsection (a) or (b) of this section
761 that are not met and shall direct the submission of a plan as required
762 by this subdivision. Not later than January first of the year following
763 the year in which such notice is provided, such chief executive officer,
764 or his or her representative, shall file with the Probate Court
765 Administrator a plan and time frame for meeting such requirements
766 and providing suitable court facilities; (2) not later than February first

767 of the year following the year in which notice is provided under
768 subdivision (1) of this [section] subsection, the Probate Court
769 Administrator shall submit a report to the joint standing committee of
770 the General Assembly having cognizance of matters relating to the
771 judiciary concerning the failure of the probate district to provide the
772 required court facilities, which report may include a recommendation
773 that the probate district be abolished as a separate district and be
774 consolidated with a contiguous district where suitable court facilities
775 can be provided; or (3) if, in the opinion of the Probate Court
776 Administrator, abolition of the district is not in the public interest and
777 judicial action is necessary to enforce the provision of suitable court
778 facilities, the Probate Court Administrator shall bring an action in the
779 Superior Court to enforce the requirements for the provision of
780 suitable court facilities.

781 Sec. 45. Subsection (a) of section 45a-186c of the 2008 supplement to
782 the general statutes is repealed and the following is substituted in lieu
783 thereof (*Effective from passage*):

784 (a) In an appeal taken under section 45a-186 of the 2008 supplement
785 to the general statutes, costs may be taxed in favor of the prevailing
786 party in the same manner, and to the same extent, [that] as such costs
787 are allowed in judgments rendered by the Superior Court.

788 Sec. 46. Section 45a-199 of the 2008 supplement to the general
789 statutes is repealed and the following is substituted in lieu thereof
790 (*Effective from passage*):

791 As used in sections [45a-143, 45a-152,] 45a-186c of the 2008
792 supplement to the general statutes, 45a-202 to 45a-208, inclusive, and
793 45a-242 to 45a-244, inclusive, unless otherwise defined or unless
794 otherwise required by the context, "fiduciary" includes an executor,
795 administrator, trustee, conservator or guardian.

796 Sec. 47. Subsection (b) of section 45a-649 of the 2008 supplement to
797 the general statutes is repealed and the following is substituted in lieu
798 thereof (*Effective from passage*):

799 (b) The notice required by subdivision (2) of subsection (a) of this
800 section shall specify [(A)] (1) the nature of involuntary representation
801 sought and the legal consequences thereof, [(B)] (2) the facts alleged in
802 the application, [(C)] (3) the date, time and place of the hearing, and
803 [(D)] (4) that the respondent has a right to be present at the hearing
804 and has a right to be represented by an attorney of the respondent's
805 choice at the respondent's own expense. The notice shall also include a
806 statement in boldface type of a minimum size of twelve points in
807 substantially the following form:

808 "POSSIBLE CONSEQUENCES OF THE APPOINTMENT
809 OF A CONSERVATOR FOR YOU

810 This court has received an application to appoint a conservator for
811 you. A conservator is a court-appointed legal guardian who may be
812 assigned important decision-making authority over your affairs. If the
813 application is granted and a conservator is appointed for you, you will
814 lose some of your rights.

815 A permanent conservator may only be appointed for you after a
816 court hearing. You have the right to attend the hearing on the
817 application for appointment of a permanent conservator. If you are not
818 able to access the court where the hearing will be held, you may
819 request that the hearing be moved to a convenient location, even to
820 your place of residence.

821 You should have an attorney represent you at the hearing on the
822 application. If you are unable to obtain an attorney to represent you at
823 the hearing, the court will appoint an attorney for you. If you are
824 unable to pay for representation by an attorney, the court will pay
825 attorney fees as permitted by the court's rules. Even if you qualify for
826 payment of an attorney on your behalf, you may choose an attorney if
827 the attorney will accept the attorney fees permitted by the court's rules.

828 If, after a hearing on the application, the court decides that you lack
829 the ability to care for yourself, pay your bills or otherwise manage

830 your affairs, the court may review any alternative plans you have to
831 get assistance to handle your own affairs that do not require
832 appointment of a conservator. If the court decides that there are no
833 adequate alternatives to the appointment of a conservator, the court
834 may appoint a conservator and assign the conservator responsibility
835 for some or all of the duties listed below. While the purpose of a
836 conservator is to help you, you should be aware that the appointment
837 of a conservator limits your rights. Among the areas that may be
838 affected are:

- 839 - Accessing and budgeting your money
- 840 - Deciding where you live
- 841 - Making medical decisions for you
- 842 - Paying your bills
- 843 - Managing your real and personal property

844 You may participate in the selection of your conservator. If you
845 have already designated a conservator or if you inform the court of
846 your choice for a conservator, the court must honor your request
847 unless the court decides that the person designated by you is not
848 appropriate.

849 The conservator appointed for you may be a lawyer, a public official
850 or someone whom you did not know before the appointment. The
851 conservator will be required to make regular reports to the court about
852 you. The conservator may charge you a fee, under the supervision of
853 the court, for being your conservator."

854 Sec. 48. Subsections (g) and (h) of section 45a-650 of the 2008
855 supplement to the general statutes are repealed and the following is
856 substituted in lieu thereof (*Effective from passage*):

857 (g) When determining whether a conservator should be appointed
858 the court shall consider the following factors: (1) The abilities of the

859 respondent; (2) the respondent's capacity to understand and articulate
860 an informed preference regarding the care of his or her person or the
861 management of his or her affairs; (3) any relevant and material
862 information obtained from the respondent; (4) evidence of the
863 respondent's past preferences and life style choices; (5) the
864 respondent's cultural background; (6) the desirability of maintaining
865 continuity in the respondent's life and environment; (7) whether the
866 respondent had previously made adequate alternative arrangements
867 for the care of his or her person or for the management of his or her
868 affairs, including, but not limited to, the execution of a durable power
869 of attorney [,] or springing power of attorney, the appointment of a
870 health care representative or health care agent, the execution of a living
871 will or trust or the execution of any other similar document; (8) any
872 relevant and material evidence from the respondent's family and any
873 other person regarding the respondent's past practices and
874 preferences; and (9) any supportive services, technologies or other
875 means that are available to assist the respondent in meeting his or her
876 needs.

877 (h) The respondent or conserved person may appoint, designate or
878 nominate a conservator pursuant to section 19a-580e of the 2008
879 supplement to the general statutes, 19a-580g or 45a-645 of the 2008
880 supplement to the general statutes, or may, orally or in writing,
881 nominate a conservator who shall be appointed unless the court finds
882 that the appointee, designee or nominee is unwilling or unable to serve
883 or there is substantial evidence to disqualify such person. If there is no
884 such appointment, designation or nomination or if the court does not
885 appoint the person appointed, designated or nominated by the
886 respondent or conserved person, the court may appoint any qualified
887 person, authorized public official or corporation in accordance with
888 subsections (a) and (b) of section 45a-644 of the 2008 supplement to the
889 general statutes. In considering [who] whom to appoint as conservator,
890 the court shall consider (1) the extent to which a proposed conservator
891 has knowledge of the respondent's or conserved person's preferences
892 regarding the care of his or her person or the management of his or her
893 affairs, (2) the ability of the proposed conservator to carry out the

894 duties, responsibilities and powers of a conservator, (3) the cost of the
895 proposed conservatorship to the estate of the respondent or conserved
896 person, (4) the proposed conservator's commitment to promoting the
897 respondent's or conserved person's welfare and independence, and (5)
898 any existing or potential conflicts of interest of the proposed
899 conservator.

900 Sec. 49. Subsection (b) of section 45a-654 of the 2008 supplement to
901 the general statutes is repealed and the following is substituted in lieu
902 thereof (*Effective from passage*):

903 (b) Unless the court waives the medical evidence requirement
904 pursuant to subsection (e) of this section, an appointment of a
905 temporary conservator shall not be made unless a report is filed with
906 the application for appointment of a temporary conservator, signed by
907 a physician licensed to practice medicine or surgery in this state,
908 stating: (1) That the physician has examined the respondent and the
909 date of such examination, which shall not be more than three days
910 prior to the date of presentation to the judge; (2) that it is the opinion of
911 the physician that the respondent is incapable of managing his or her
912 affairs or incapable of caring for himself or herself; and (3) the reasons
913 for such opinion. Any physician's report filed with the court pursuant
914 to this subsection shall be confidential. The court shall provide for the
915 disclosure of the medical information required pursuant to this
916 subsection to the respondent on the respondent's request, to the
917 respondent's attorney and to any other party considered appropriate
918 by the court.

919 Sec. 50. Subsection (h) of section 45a-656b of the 2008 supplement to
920 the general statutes is repealed and the following is substituted in lieu
921 thereof (*Effective from passage*):

922 (h) For purposes of this section, an "institution for long-term care"
923 means a facility that has been federally certified as a skilled nursing
924 facility, an intermediate care facility, a residential care home, an
925 extended care facility, a nursing home, a rest home [and] or a
926 rehabilitation hospital or facility.

927 Sec. 51. Subsection (b) of section 46b-124 of the 2008 supplement to
928 the general statutes is repealed and the following is substituted in lieu
929 thereof (*Effective from passage*):

930 (b) All records of cases of juvenile matters, as provided in section
931 46b-121 of the 2008 supplement to the general statutes, except
932 delinquency proceedings, or any part thereof, and all records of
933 appeals from probate brought to the superior court for juvenile matters
934 pursuant to [subsection (b) of] section 45a-186 of the 2008 supplement
935 to the general statutes, shall be confidential and for the use of the court
936 in juvenile matters, and open to inspection or disclosure to any third
937 party, including bona fide researchers commissioned by a state agency,
938 only upon order of the Superior Court, except that: (1) The records
939 concerning any matter transferred from a court of probate pursuant to
940 section 45a-623 or subsection (g) of section 45a-715 or any appeal from
941 probate to the superior court for juvenile matters pursuant to
942 [subsection (b) of] section 45a-186 of the 2008 supplement to the
943 general statutes shall be available to the court of probate from which
944 such matter was transferred or from which such appeal was taken; (2)
945 such records shall be available to (A) the attorney representing the
946 child or youth, including the Division of Public Defender Services, in
947 any proceeding in which such records are relevant, (B) the parents or
948 guardian of the child or youth until such time as the child or youth
949 reaches the age of majority or becomes emancipated, (C) an adult
950 adopted person in accordance with the provisions of sections 45a-736,
951 45a-737 and 45a-743 to 45a-757, inclusive, (D) employees of the
952 Division of Criminal Justice who in the performance of their duties
953 require access to such records, (E) employees of the judicial branch
954 who in the performance of their duties require access to such records,
955 (F) another court under the provisions of subsection (d) of section 46b-
956 115j, (G) the subject of the record, upon submission of satisfactory
957 proof of the subject's identity, pursuant to guidelines prescribed by the
958 Office of the Chief Court Administrator, provided the subject has
959 reached the age of majority or has been emancipated, (H) the
960 Department of Children and Families, and (I) the employees of the
961 Commission on Child Protection who in the performance of their

962 duties require access to such records; and (3) all or part of the records
963 concerning a youth in crisis with respect to whom a court order has
964 been issued pursuant to subdivision (1) of subsection (c) of section 46b-
965 150f of the 2008 supplement to the general statutes may be made
966 available to the Department of Motor Vehicles, provided such records
967 are relevant to such order. Any records of cases of juvenile matters, or
968 any part thereof, provided to any persons, governmental and private
969 agencies, and institutions pursuant to this section shall not be
970 disclosed, directly or indirectly, to any third party not specified in
971 subsection (d) of this section, except as provided by court order or in
972 the report required under section 54-76d or 54-91a.

973 Sec. 52. Subsection (b) of section 46b-124 of the 2008 supplement to
974 the general statutes, as amended by section 81 of public act 07-4 of the
975 June special session, is repealed and the following is substituted in lieu
976 thereof (*Effective January 1, 2010*):

977 (b) All records of cases of juvenile matters, as provided in section
978 46b-121 of the 2008 supplement to the general statutes, except
979 delinquency proceedings, or any part thereof, and all records of
980 appeals from probate brought to the superior court for juvenile matters
981 pursuant to [subsection (b) of] section 45a-186 of the 2008 supplement
982 to the general statutes, shall be confidential and for the use of the court
983 in juvenile matters, and open to inspection or disclosure to any third
984 party, including bona fide researchers commissioned by a state agency,
985 only upon order of the Superior Court, except that: (1) The records
986 concerning any matter transferred from a court of probate pursuant to
987 section 45a-623 or subsection (g) of section 45a-715 or any appeal from
988 probate to the superior court for juvenile matters pursuant to
989 [subsection (b) of] section 45a-186 of the 2008 supplement to the
990 general statutes shall be available to the court of probate from which
991 such matter was transferred or from which such appeal was taken; (2)
992 such records shall be available to (A) the attorney representing the
993 child or youth, including the Division of Public Defender Services, in
994 any proceeding in which such records are relevant, (B) the parents or
995 guardian of the child or youth until such time as the child or youth

996 reaches the age of majority or becomes emancipated, (C) an adult
997 adopted person in accordance with the provisions of sections 45a-736,
998 45a-737 and 45a-743 to 45a-757, inclusive, (D) employees of the
999 Division of Criminal Justice who in the performance of their duties
1000 require access to such records, (E) employees of the judicial branch
1001 who in the performance of their duties require access to such records,
1002 (F) another court under the provisions of subsection (d) of section 46b-
1003 115j, (G) the subject of the record, upon submission of satisfactory
1004 proof of the subject's identity, pursuant to guidelines prescribed by the
1005 Office of the Chief Court Administrator, provided the subject has
1006 reached the age of majority or has been emancipated, (H) the
1007 Department of Children and Families, and (I) the employees of the
1008 Commission on Child Protection who in the performance of their
1009 duties require access to such records; and (3) all or part of the records
1010 concerning a youth in crisis with respect to whom a court order was
1011 issued prior to January 1, 2010, may be made available to the
1012 Department of Motor Vehicles, provided such records are relevant to
1013 such order. Any records of cases of juvenile matters, or any part
1014 thereof, provided to any persons, governmental and private agencies,
1015 and institutions pursuant to this section shall not be disclosed, directly
1016 or indirectly, to any third party not specified in subsection (d) of this
1017 section, except as provided by court order or in the report required
1018 under section 54-76d or 54-91a.

1019 Sec. 53. Subsection (b) of section 47-75a of the general statutes is
1020 repealed and the following is substituted in lieu thereof (*Effective from*
1021 *passage*):

1022 (b) The principal officer of the unit owners' association or such other
1023 officer or officers as the condominium instruments may specify [.] shall
1024 furnish the statements prescribed [by] in subsection (a) [*hereof*] of this
1025 section upon the written request of any unit owner within fifteen days
1026 of the receipt of such request.

1027 Sec. 54. Subsection (a) of section 50a-60 of the general statutes is
1028 repealed and the following is substituted in lieu thereof (*Effective from*

1029 *passage*):

1030 (a) Subject to subsection (b) of this section, if an action is brought to
1031 enforce a judgment of another jurisdiction expressed in a foreign
1032 money and the judgment is recognized in this state as enforceable, the
1033 enforcing judgment shall be entered as provided in section 50a-57 of
1034 the 2008 supplement to the general statutes, whether or not the foreign
1035 judgment confers an option to pay in an equivalent amount of United
1036 States dollars. A satisfaction or partial payment made upon the foreign
1037 judgment, on proof thereof, shall be credited against the amount of
1038 foreign money specified in the judgment, notwithstanding the entry of
1039 judgment in this state.

1040 Sec. 55. Subsection (c) of section 51-247a of the general statutes is
1041 repealed and the following is substituted in lieu thereof (*Effective from*
1042 *passage*):

1043 (c) Any employer who fails to compensate a juror-employee under
1044 [subsection (b) of] section 51-247 of the 2008 supplement to the general
1045 statutes and who has not been excused from such duty under section
1046 51-247c of the 2008 supplement to the general statutes shall be liable to
1047 the juror-employee for damages. The juror may commence a civil
1048 action in any superior court having jurisdiction over the parties.
1049 Extreme financial hardship on the employer shall not be a defense to
1050 [this] such action. The court may award treble damages and reasonable
1051 attorney's fees to the juror upon a finding of wilful conduct by the
1052 employer.

1053 Sec. 56. Subsection (e) of section 52-143 of the general statutes is
1054 repealed and the following is substituted in lieu thereof (*Effective from*
1055 *passage*):

1056 (e) If any person summoned by the state, or by the Attorney General
1057 or an assistant attorney general, or by any public defender or assistant
1058 public defender acting in his or her official capacity, by a subpoena
1059 containing the statement as provided in subsection (d) of this section,
1060 or if any other person upon whom a subpoena is served to appear and

1061 testify in a cause pending before any court and to whom one day's
1062 attendance and fees for traveling to court have been tendered, fails to
1063 appear and testify, without reasonable excuse, [he] such person shall
1064 be fined not more than twenty-five dollars and pay all damages to the
1065 party aggrieved; and the court or judge, on proof of the service of a
1066 subpoena containing the statement as provided in subsection (d) of
1067 this section, or on proof of the service of a subpoena and the tender of
1068 such fees, may issue a capias directed to some proper officer to arrest
1069 the witness and bring [him] the witness before the court to testify.

1070 Sec. 57. Section 7-163e of the 2008 supplement to the general statutes
1071 is repealed and the following is substituted in lieu thereof (*Effective*
1072 *from passage*):

1073 (a) The legislative body of a municipality, or in any municipality
1074 where the legislative body is a town meeting or representative town
1075 meeting, the board of selectmen, shall conduct a public hearing on the
1076 sale, lease or transfer of real property owned by the municipality prior
1077 to final approval of such sale, lease or transfer. Notice of the hearing
1078 shall be published in a newspaper having a general circulation in such
1079 municipality where the real property that is the subject of the hearing
1080 is located at least twice, at intervals of not less than two days, the first
1081 not more than fifteen days or less than ten days and the last not less
1082 than two days before the date set for the hearing. The municipality
1083 shall also post a sign conspicuously on the real property [land] that is
1084 the subject of the public hearing.

1085 (b) The provisions of subsection (a) of this section shall not apply to
1086 (1) sales of real property, except parkland, open space or playgrounds,
1087 if the fair market value of such property does not exceed ten thousand
1088 dollars, (2) renewals of leases where there is no change in use of the
1089 real property, and (3) the [sales] sale, lease or transfer of real property
1090 acquired by the municipality by foreclosure.

1091 Sec. 58. Subsection (b) of section 8-35a of the 2008 supplement to the
1092 general statutes is repealed and the following is substituted in lieu
1093 thereof (*Effective from passage*):

1094 (b) Before adopting the regional plan of development or any part
1095 thereof or amendment thereto the agency shall hold at least one public
1096 hearing thereon, notice of the time, place and subject of which shall be
1097 given in writing to the chief executive officer and planning
1098 commission, where one exists, of each member town, city or borough.
1099 Notice of the time, place and subject of such hearing shall be published
1100 once in a newspaper having a substantial circulation in the region. At
1101 least sixty-five days before the public hearing the regional planning
1102 agency shall post the plan on the Internet web site of the agency, if
1103 any, and submit the plan to the Secretary of the Office of Policy and
1104 Management for findings in the form of comments and
1105 recommendations. Such findings shall include a review of the plan to
1106 determine if the proposed regional plan of development is not
1107 inconsistent with the state plan of conservation and development and
1108 the state economic strategic plan. Such notices shall be given not more
1109 than twenty days [nor] or less than ten days before such hearing. The
1110 regional planning agency shall note on the record any inconsistency
1111 with the state plan of conservation and development and the reasons
1112 for such inconsistency. Adoption of the plan or part thereof or
1113 amendment thereto shall be made by the affirmative vote of not less
1114 than a majority of the representatives on the agency. The plan shall be
1115 posted on the Internet web site of the agency, if any, and a copy of the
1116 plan or of any amendments thereto, signed by the chairman of the
1117 agency, shall be transmitted to the chief executive officers, the town,
1118 city or borough clerks, as the case may be, and to planning
1119 commissions, if any, in member towns, cities or boroughs, and to the
1120 Secretary of the Office of Policy and Management, or his designee. The
1121 regional planning agency shall notify the Secretary of the Office of
1122 Policy and Management of any inconsistency with the state plan of
1123 conservation and development and the reasons therefor.

1124 Sec. 59. Section 12-81dd of the 2008 supplement to the general
1125 statutes is repealed and the following is substituted in lieu thereof
1126 (*Effective from passage*):

1127 Any municipality may, upon approval by its legislative body, abate

1128 the real or personal property taxes due for any portion of a tax year or
1129 the interest on delinquent taxes with respect to any tax paid by a
1130 nonprofit land conservation organization that [were] was due for a
1131 period before the date of acquisition but which [were] was paid
1132 subsequent to the date of acquisition.

1133 Sec. 60. Section 12-193 of the 2008 supplement to the general statutes
1134 is repealed and the following is substituted in lieu thereof (*Effective*
1135 *from passage*):

1136 Court costs, reasonable appraiser's fees, and reasonable attorney's
1137 fees incurred by a municipality as a result of any foreclosure action
1138 brought pursuant to section 12-181 or 12-182 and directly related
1139 thereto shall be taxed in any such proceeding against any person or
1140 persons having title to any property so foreclosed and may be collected
1141 by the municipality once a foreclosure action has been brought
1142 pursuant to section 12-181 or 12-182. A municipality shall reimburse a
1143 taxpayer for the costs of state marshal fees [or] on any property seized
1144 if the court finds that such costs were incurred because of an error by
1145 the tax assessor or tax collector and not as the result of any action or
1146 failure on the part of the taxpayer.

1147 Sec. 61. Section 32-1o of the 2008 supplement to the general statutes
1148 is repealed and the following is substituted in lieu thereof (*Effective*
1149 *from passage*):

1150 (a) On or before July 1, 2009, and every five years thereafter, the
1151 Commissioner of Economic and Community Development, within
1152 available appropriations, shall prepare an economic strategic plan for
1153 the state in consultation with the Secretary of the Office of Policy and
1154 Management, the Commissioners of Environmental Protection and
1155 Transportation, the Labor Commissioner, the executive directors of the
1156 Connecticut Housing Finance Authority, the Connecticut Development
1157 Authority, [The] Connecticut Innovations, [Inc.] Incorporated, the
1158 Commission on Culture and Tourism and the Connecticut Health and
1159 Educational Facilities Authority, and the president of the Office of
1160 Workforce Competitiveness, or their respective designees, and any

1161 other agencies the Commissioner of Economic and Community
1162 Development deems appropriate.

1163 (b) In developing the plan, the Commissioner of Economic and
1164 Community Development shall:

1165 (1) Ensure that the plan is consistent with (A) the text and locational
1166 guide map of the state plan of conservation and development []
1167 adopted pursuant to chapter 297, (B) the long-range state housing plan
1168 [] adopted pursuant to section 8-37t, and (C) the transportation
1169 strategy adopted pursuant to section 13b-57g of the 2008 supplement
1170 to the general statutes;

1171 (2) Consult regional councils of governments, regional planning
1172 organizations, regional economic development agencies, interested
1173 state and local officials, entities involved in economic and community
1174 development, stakeholders and business, economic, labor, community
1175 and housing organizations;

1176 (3) Consider (A) regional economic, community and housing
1177 development plans, and (B) applicable state and local workforce
1178 investment strategies;

1179 (4) Assess and evaluate the economic development challenges and
1180 opportunities of the state and against the economic development
1181 competitiveness of other states and regions; and

1182 (5) Host regional forums to provide for public involvement in the
1183 planning process.

1184 (c) The strategic plan required under this section shall include, but
1185 not be limited to, the following:

1186 (1) A review and evaluation of the economy of the state. Such
1187 review and evaluation shall include, but not be limited to, a sectoral
1188 analysis, housing market and housing affordability analysis, labor
1189 market and labor quality analysis, demographic analysis and [include]
1190 historic trend analysis and projections;

1191 (2) A review and analysis of factors, issues and forces that impact or
1192 impede economic development and responsible growth in Connecticut
1193 and its constituent regions. Such factors, issues or forces shall include,
1194 but not be limited to, transportation, including, but not limited to,
1195 commuter transit, rail and barge freight, technology transfer,
1196 brownfield remediation and development, health care delivery and
1197 costs, early education, primary education, secondary and
1198 postsecondary education systems and student performance, business
1199 regulation, labor force quality and sustainability, social services costs
1200 and delivery systems, affordable and workforce housing cost and
1201 availability, land use policy, emergency preparedness, taxation,
1202 availability of capital and energy costs and supply;

1203 (3) Identification and analysis of economic clusters that are growing
1204 or declining within the state;

1205 (4) An analysis of targeted industry sectors in the state that (A)
1206 identifies those industry sectors that are of current or future
1207 importance to the growth of the state's economy and to its global
1208 competitive position, (B) identifies what those industry sectors need
1209 for continued growth, and (C) identifies [.] those industry [sectors]
1210 sectors' current and potential impediments to growth;

1211 (5) A review and evaluation of the economic development structure
1212 in the state, including, but not limited to, (A) a review and analysis of
1213 the past and current economic, community and housing development
1214 structures, budgets and policies, efforts and responsibilities of its
1215 constituent parts in Connecticut; and (B) an analysis of the
1216 performance of the current economic, community and housing
1217 development structure, and its individual constituent parts, in meeting
1218 its statutory obligations, responsibilities and mandates and their
1219 impact on economic development and responsible growth in
1220 Connecticut;

1221 (6) Establishment and articulation of a vision for Connecticut that
1222 identifies where the state should be in five, ten, fifteen and twenty
1223 years;

1224 (7) Establishment of clear and measurable goals and objectives for
1225 the state and regions, to meet the short and long-term goals established
1226 under this section and provide clear steps and strategies to achieve
1227 said goals and objectives, including, but not limited to, the following:
1228 (A) The promotion of economic development and opportunity, (B) the
1229 fostering of effective transportation access and choice including the use
1230 of airports and ports for economic development, (C) enhancement and
1231 protection of the environment, (D) maximization of the effective
1232 development and use of the workforce consistent with applicable state
1233 or local workforce investment strategy, (E) promotion of the use of
1234 technology in economic development, including access to high-speed
1235 telecommunications, and (F) the balance of resources through sound
1236 management of physical development;

1237 (8) Prioritization of goals and objectives established under this
1238 section;

1239 (9) Establishment of relevant measures that clearly identify and
1240 quantify (A) whether a goal and objective is being met at the state,
1241 regional, local and private sector level, and (B) cause and effect
1242 relationships, and [provides] provide a clear and replicable
1243 measurement methodology;

1244 (10) Recommendations on how the state can best achieve goals
1245 under the strategic plan and provide cost estimates for implementation
1246 of the plan and the projected return on investment for those areas; and

1247 (11) Any other responsible growth information that the
1248 commissioner deems appropriate.

1249 (d) On or before July 1, 2009, and every five years thereafter, the
1250 Commissioner of Economic and Community Development shall
1251 submit an economic development strategic plan for the state to the
1252 Governor for approval. The Governor shall review and approve or
1253 disapprove such plan not more than sixty days after submission. The
1254 plan shall be effective upon approval by the Governor or sixty days
1255 after the date of submission.

1256 (e) Upon approval, the commissioner shall submit the economic
1257 development strategic plan to the joint standing committees of the
1258 General Assembly having cognizance of matters relating to commerce,
1259 planning and development, appropriations and the budgets of state
1260 agencies and finance, revenue and bonding. Not later than thirty days
1261 after such submission, the commissioner shall post the plan on the web
1262 site of the Department of Economic and Community Development.

1263 (f) The commissioner, from time to time, may revise and update the
1264 strategic plan upon approval of the Governor. The commissioner shall
1265 post any such revisions on the web site of the Department of Economic
1266 and Community Development.

1267 Sec. 62. Subdivision (45) of subsection (a) of section 16-1 of the 2008
1268 supplement to the general statutes is repealed and the following is
1269 substituted in lieu thereof (*Effective from passage*):

1270 (45) "Sustainable biomass" means biomass that is cultivated and
1271 harvested in a sustainable manner. "Sustainable biomass" does not
1272 mean construction and demolition waste, as defined in section 22a-
1273 208x, finished biomass products from sawmills, paper mills or stud
1274 mills, organic refuse fuel derived separately from municipal solid
1275 waste, or biomass from old growth timber stands, except where (A)
1276 such biomass is used in a biomass gasification plant that received
1277 funding prior to May 1, 2006, from the Renewable Energy Investment
1278 Fund established pursuant to section 16-245n of the 2008 supplement
1279 to the general statutes, or (B) the energy derived from such biomass is
1280 subject to a long-term power purchase contract pursuant to
1281 subdivision (2) of subsection (j) of section 16-244c of the 2008
1282 supplement to the general statutes entered into prior to May 1, 2006, or
1283 (C) such biomass is used in a renewable energy facility that is certified
1284 as a Class I renewable energy source by the department until such time
1285 as the department certifies that any biomass gasification [plan, as
1286 defined in this subsection,] plant described in this subdivision is
1287 operational and accepting such biomass.

1288 Sec. 63. Subsection (b) of section 16a-47a of the 2008 supplement to

1289 the general statutes is repealed and the following is substituted in lieu
1290 thereof (*Effective from passage*):

1291 (b) The goals of the campaign established pursuant to subsection (a)
1292 of this section shall include, but not be limited to, educating electric
1293 consumers regarding (1) the benefits of pursuing strategies that
1294 increase energy efficiency, including information on the Connecticut
1295 electric efficiency partner program established pursuant to section 16a-
1296 46e of the 2008 supplement to the general statutes and combined heat
1297 and power technologies, (2) the real-time energy reports [prepared]
1298 developed pursuant to section [16a-47d] 16a-47b of the 2008
1299 supplement to the general statutes and the real-time energy electronic
1300 mail and cellular phone alert system [prepared] developed pursuant to
1301 section [61 of public act 07-242*] 16a-47d of the 2008 supplement to the
1302 general statutes, and (3) the option of choosing participating electric
1303 suppliers, as defined in subsection (k) of section 16-244c of the 2008
1304 supplement to the general statutes.

1305 Sec. 64. Subsection (b) of section 22a-133aa of the 2008 supplement
1306 to the general statutes is repealed and the following is substituted in
1307 lieu thereof (*Effective from passage*):

1308 (b) Any covenant entered into under this section shall release only
1309 those claims said commissioner may have which are related to
1310 pollution or contamination on or emanating from the property, which
1311 contamination resulted from a discharge, spillage, uncontrolled loss,
1312 seepage or filtration on such property prior to the effective date of the
1313 covenant. Such covenant shall provide that the commissioner will not
1314 take any action against the holder of the covenant to require
1315 remediation of the parcel or any other action against such holder
1316 related to such discharge, spillage, uncontrolled loss, seepage or
1317 filtration unless (1) prior to the commissioner's approval of a detailed
1318 written plan for remediation pursuant to a brownfields investigation
1319 plan and remediation schedule, the commissioner finds that there is
1320 substantial noncompliance with such investigation plan and
1321 remediation schedule and there has not been a good faith effort to

1322 substantially comply therewith, (2) such property is not remediated in
1323 accordance with the detailed written plan approved by the
1324 commissioner and incorporated by reference in such covenant, (3)
1325 prior to completion of remediation in accordance with such plan, the
1326 commissioner finds that there is substantial noncompliance with any
1327 such plan and there has not been a good faith effort to substantially
1328 comply therewith, (4) remediation of the parcel in accordance with any
1329 detailed written plan for remediation did not comply with standards
1330 adopted by the commissioner pursuant to section 22a-133k which were
1331 in effect as of the effective date of either the covenant or the
1332 commissioner's approval of the detailed written plan for remediation,
1333 whichever is later, (5) if required by the standards adopted by the
1334 commissioner pursuant to section 22a-133k, an environmental land use
1335 restriction has not been recorded in accordance with section 22a-133o
1336 or there has been a failure to comply with the provisions of such a
1337 restriction, (6) for a property subject to the brownfield plan and
1338 remediation schedule, the commissioner does not approve a detailed
1339 written plan for remediation, or (7) the prospective buyer or owner
1340 fails to pay the fee, including [fails] the failure to pay in accordance
1341 with any payment schedule pursuant to subsection (c) of this section.

1342 Sec. 65. Subsection (g) of section 22a-134a of the 2008 supplement to
1343 the general statutes is repealed and the following is substituted in lieu
1344 thereof (*Effective from passage*):

1345 (g) (1) Except as provided in subsection (h) of this section, the
1346 certifying party to a Form III or Form IV shall, on or before seventy-
1347 five days after the receipt of the notice that such form is complete or
1348 such later date as may be approved in writing by the commissioner,
1349 submit a schedule for the investigation of the parcel and remediation
1350 of the establishment. Such schedule shall, unless a later date is
1351 specified in writing by the commissioner, provide that the
1352 investigation shall be completed within two years of the date of receipt
1353 of such notice and that remediation shall be initiated within three years
1354 of the date of receipt of such notice. The schedule shall also include a
1355 schedule for providing public notice of the remediation prior to the

1356 initiation of such remediation in accordance with subsection (i) of this
1357 section. Not later than two years after the date of the receipt of the
1358 notice that the Form III or Form IV is complete, unless the
1359 commissioner has specified a later day, in writing, the certifying party
1360 shall submit to the commissioner documentation, approved in writing
1361 by a licensed environmental professional and in a form prescribed by
1362 the commissioner, that the investigation has been completed in
1363 accordance with prevailing standards and guidelines. Not later than
1364 three years after the date of the receipt of the notice that the Form III or
1365 Form IV is complete, unless the commissioner has specified a later day
1366 in writing, the certifying party shall notify the commissioner in a form
1367 prescribed by the commissioner that the remediation has been
1368 initiated, and shall submit to the commissioner a remedial action plan
1369 approved in writing by a licensed environmental professional in a
1370 form prescribed by the commissioner. Notwithstanding any other
1371 provision of this section, the commissioner may determine at any time
1372 that the commissioner's review and written approval is necessary and
1373 in such case shall notify the certifying party that the commissioner's
1374 review and written approval is necessary. Such certifying party shall
1375 investigate the parcel and remediate the establishment in accordance
1376 with the proposed schedule or the schedule specified by the
1377 commissioner. When remediation of the entire establishment is
1378 complete, the certifying party shall submit to the commissioner a final
1379 verification by a licensed environmental professional. Any such final
1380 verification may include and rely upon a verification for a portion of
1381 the establishment submitted pursuant to subdivision (2) of this
1382 subsection. Verifications shall be submitted on a form prescribed by
1383 the commissioner.

1384 (2) If a certifying party completes the remediation for a portion of an
1385 establishment, such party may submit a verification by a licensed
1386 environmental professional for any such portion of an establishment.
1387 The certifying party shall be deemed to have satisfied the requirements
1388 of this subsection for that portion of the establishment covered by any
1389 such verification. If any portion of an establishment for which a
1390 verification is submitted pursuant to this subdivision is transferred,

1391 conveyed or undergoes a change in ownership before remediation of
1392 the entire establishment is complete that would not otherwise be
1393 subject to the provisions of sections 22a-134 to 22a-134e, inclusive, then
1394 the certifying party shall provide notice to the commissioner of such
1395 transfer, conveyance or change in ownership not later than thirty days
1396 [of] after any such transfer, conveyance or change in ownership.

1397 (3) (A) The commissioner may conduct an audit of any verification
1398 submitted pursuant to this section, but shall not conduct an audit of a
1399 final verification of an entire establishment submitted pursuant to
1400 subdivision (1) of this subsection after three years have passed since
1401 the date of the commissioner's receipt of such final verification unless
1402 an exception listed in subparagraph (C) of subdivision (3) of this
1403 subsection applies. Upon completion of an audit, the commissioner
1404 shall send written audit findings to the certifying party and the
1405 licensed environmental professional who verified. The three-year time
1406 frame for an audit of a final verification of an entire establishment shall
1407 apply to such final verifications received by the commissioner after
1408 October 1, 2007.

1409 (B) The commissioner may request additional information during an
1410 audit. If such information has not been provided to the commissioner
1411 within ninety days of the commissioner's request for such information
1412 or any longer time as the commissioner may determine in writing, the
1413 commissioner may either (i) suspend the audit, which for a final
1414 verification shall suspend the running of the three-year audit time
1415 frame until such time as the commissioner receives all the information
1416 requested, or (ii) complete the audit based upon the information
1417 provided in the verification before the request for additional
1418 information.

1419 (C) The commissioner shall not conduct an audit of a final
1420 verification of an entire establishment after three years from receipt of
1421 such verification pursuant to this subdivision unless (i) the
1422 commissioner has reason to believe that a verification was obtained
1423 through the submittal of materially inaccurate or erroneous

1424 information, or otherwise misleading information material to the
 1425 verification or that misrepresentations were made in connection with
 1426 the submittal of the verification, (ii) a verification is submitted
 1427 pursuant to an order of the commissioner pursuant to subdivision (j) of
 1428 section 22a-134a of the 2008 supplement to the general statutes, (iii)
 1429 any post-verification monitoring, or operations and maintenance, is
 1430 required as part of a verification and [which] has not been done, (iv) a
 1431 verification that relies upon an environmental land use restriction was
 1432 not recorded on the land records of the municipality in which such
 1433 land is located in accordance with section 22a-133o and applicable
 1434 regulations, (v) the commissioner determines that there has been a
 1435 violation of sections 22a-134 to 22a-134e, or (vi) the commissioner
 1436 determines that information exists indicating that the remediation may
 1437 have failed to prevent a substantial threat to public health or the
 1438 environment.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	3-20a(a)
Sec. 2	<i>from passage</i>	4-68o(f)
Sec. 3	<i>from passage</i>	4b-15b(b)
Sec. 4	<i>from passage</i>	7-131(d)
Sec. 5	<i>from passage</i>	7-151a(c)
Sec. 6	<i>from passage</i>	7-323c(e)
Sec. 7	<i>from passage</i>	7-425(3)
Sec. 8	<i>from passage</i>	8-265i(b)
Sec. 9	<i>from passage</i>	10-158a(b)
Sec. 10	<i>from passage</i>	10-221d(d)
Sec. 11	<i>from passage</i>	12-2(b)
Sec. 12	<i>from passage</i>	12-412(82)
Sec. 13	<i>from passage</i>	13b-50a
Sec. 14	<i>from passage</i>	13b-57g(j)
Sec. 15	<i>from passage</i>	14-12a(b)
Sec. 16	<i>from passage</i>	14-36a(e)
Sec. 17	<i>from passage</i>	14-44(b)
Sec. 18	<i>from passage</i>	14-44i(c)
Sec. 19	<i>from passage</i>	14-181(a) and (b)
Sec. 20	<i>from passage</i>	14-222a(a)

Sec. 21	<i>from passage</i>	14-275(b)
Sec. 22	<i>from passage</i>	14-279(c)
Sec. 23	<i>from passage</i>	14-296aa(b)
Sec. 24	<i>from passage</i>	14-296aa(e)
Sec. 25	<i>from passage</i>	15-154(f)
Sec. 26	<i>from passage</i>	16-262m(c)
Sec. 27	<i>from passage</i>	16-262m(e)(1)
Sec. 28	<i>from passage</i>	17b-256(a)
Sec. 29	<i>from passage</i>	17b-341(d)
Sec. 30	<i>from passage</i>	18-101b(c)
Sec. 31	<i>from passage</i>	19a-88a
Sec. 32	<i>from passage</i>	20-677(c)
Sec. 33	<i>from passage</i>	22-287(b)
Sec. 34	<i>from passage</i>	22-301
Sec. 35	<i>from passage</i>	22-415a(5)
Sec. 36	<i>from passage</i>	26-72
Sec. 37	<i>from passage</i>	31-109(f)
Sec. 38	<i>from passage</i>	31-276(b)
Sec. 39	<i>from passage</i>	32-237(b)
Sec. 40	<i>from passage</i>	34-327(a)
Sec. 41	<i>from passage</i>	38a-363(a)
Sec. 42	<i>from passage</i>	38a-503b(b)
Sec. 43	<i>from passage</i>	38a-530b(b)
Sec. 44	<i>from passage</i>	45a-8(c)
Sec. 45	<i>from passage</i>	45a-186c(a)
Sec. 46	<i>from passage</i>	45a-199
Sec. 47	<i>from passage</i>	45a-649(b)
Sec. 48	<i>from passage</i>	45a-650(g) and (h)
Sec. 49	<i>from passage</i>	45a-654(b)
Sec. 50	<i>from passage</i>	45a-656b(h)
Sec. 51	<i>from passage</i>	46b-124(b)
Sec. 52	<i>January 1, 2010</i>	46b-124(b)
Sec. 53	<i>from passage</i>	47-75a(b)
Sec. 54	<i>from passage</i>	50a-60(a)
Sec. 55	<i>from passage</i>	51-247a(c)
Sec. 56	<i>from passage</i>	52-143(e)
Sec. 57	<i>from passage</i>	7-163e
Sec. 58	<i>from passage</i>	8-35a(b)
Sec. 59	<i>from passage</i>	12-81dd
Sec. 60	<i>from passage</i>	12-193
Sec. 61	<i>from passage</i>	32-1o

Sec. 62	<i>from passage</i>	16-1(a)(45)
Sec. 63	<i>from passage</i>	16a-47a(b)
Sec. 64	<i>from passage</i>	22a-133aa(b)
Sec. 65	<i>from passage</i>	22a-134a(g)

JUD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill makes various technical changes that have no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis

sSB 672

***AN ACT CONCERNING THE REVISOR'S TECHNICAL
CORRECTIONS TO THE GENERAL STATUTES.***

SUMMARY:

This bill makes technical changes and corrects improper references.

EFFECTIVE DATE: Upon passage except a technical change regarding juvenile records is effective January 1, 2010.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 43 Nay 0 (03/24/2008)